



Measure L Citizens' Oversight Committee

1st Floor City Council Conference Room Area 'B'

Wednesday February 6, 2013

MINUTES

COMMITTEE MEMBERS

George 'Andy' Anderson, Lance 'Scott' Garver,
Michael Petersen, Phil Salvatore, Eddie Thomas

Special Meeting – 4:30 pm

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

CALL TO ORDER: Meeting was called to order by Chairman Thomas at 4:31

ROLL CALL: Roll call was taken and all Committee members were present as listed above by roll call.

DISCUSSION AND OTHER ACTION ITEMS

- A. Discussion with City Attorney: Measure L Citizens' Oversight Committee Process** - Keith Lemieux started the meeting with a thanks about accommodating his schedule and also an apology for not having this meeting sooner to speak about the process and procedures of holding the meetings for the committee. Mr. Lemieux is here just as a way to facilitate with the discussion. Mr. Lemieux discussed with the committee members a letter that he had given to the committee dated February 6, 2013 as concepts as to how the committee might establish process and procedure to conduct a Citizens' Oversight Committee meeting. There was a sample resolution that could be adopted by the Committee to set the process. It was noted that this was only a draft and was simply intended to details of the draft may be changed by the Committee. These are things that Committee should have done by ordinance or resolution and should have been done at the beginning of the structure of the committee when the committee first starting meetings.

Mr. Lemieux further discussed section 3.2-116 Organization of Committee and how this made changes to the municipal code when it was passed by voters. The Committee must establish a date and time of when they meet and pass a written resolution. Discussed the Roberts Rules of Order and how most committees will use a short form of this. With a Special Meetings each member of the Board has to be contacted 24 hours in advance and this needs to be established in the resolution. The Committee could tweak this section of the resolution. Mr. Lemieux stated that he felt that a section of closed session could

be eliminated from the resolution. Mr. Lemieux then asked the committee how frequently the committee wanted to hold their meeting and what are their goals were? What was the Committee trying to accomplish? He also stated that there was a cost to the meetings because there would be a staff member (secretary) to do agendas and take minutes but that this should be minimal.

The Committee asked if Mr. Lemieux has been keeping up with the minutes of passed meetings and he stated that he hadn't. Mr. Petersen stated that they had been working through the budget and were now getting ready to do a quarterly report. Mr. Salvatore discussed the budget and how he developed his spreadsheets for the committee and the public to see what had been spent in years passed and where the transfer had been. This spreadsheet will be a living document that will constantly be changing as new information is being received. Mr. Salvatore stated that Tess Sloan has been extremely helpful in getting numbers for him and helping him understand the CAFR.

Mr. Lemieux discussed that the ordinance only indicated that an annual report was needed to be done but if the committee was willing to do the extra work and put out an interim reports or quarterly he felt that would be beneficial for both the Committee and the City Council. This would give everyone a look at what was going on as it was happening and give the City Council a heads up before the Annual Report. It is just important that a policy is set up for when the draft interim or quarterly reports are done and when the annual report is going to be released.

Discussion of dates between the Committee, Dennis Speer and Mr. Lemieux for the annual financial reports and quarterly reports were given. Mr. Speer indicated that the City doesn't close out the budget until the auditors do their report and that it usually is the 2nd City Council meeting in September. It was determined that the first annual report would be given in February 28, 2014 after the CAFR comes out in January of 2014. The annual report would then been due in February on subsequent years. This would reflect Measure L money (revenue and expenditures) for an entire year. How often to you want to do the interim reports or quarterly reports? The Interim reports or quarterly reports will be due on May 31, August 31, and November 31.

Mr. Lemieux asked about the date and time of the Committee meeting. The Committee feels that right now they need to meet on a bi-weekly basis to match what the City Council is doing. Would like to keep the meeting at bi-weekly meetings and if they need to amend the resolution to once a month can do so down the road. The Committee discussed what date and time. The Committee will check calendars and have that at the next regularly scheduled meeting so that we can have that in our resolution. The Committee would like to do the 1st and 3rd Mondays of each month at 5:30.

The Chair asked if someone has the right to pass a letter across the table to inform the committee of something. Mr. Lemieux would encourage the Committee when something like this rises up again, (mayor's letter) that maybe adding a City Manager Comments item to the agenda would be a place that an item of this nature could be addressed.

Public must be able to speak at meeting when action is being taken by the board.

Mr. Lemieux asked if the Committee has any questions or comments that he might be able to address. Maybe something from the Letter that was sent to the Committee dated January 29, 2013. Mr. Lemieux spoke about his writing of 3.2 -117. He felt that the Committee would track the revenues in and the expenditures out of the Measure L money. He spoke of the backfill debate and felt that this would be a very hard analysis. He did however feel that the issue last summer when the money to pay for the after school programs and funding the Parks and Recreation was a valid issue that the Committee should take a look at. The bottom-line is that your duties as a Committee are to define your duties..

Mr. Salvatore just wants to keep it honest. He is doing this to free the City Council up to do other duties. Spoke of his way at looking at the budget. He is hoping not to have so many rumors. Still working at figuring out where the money comes from by the different account funds and transfers.

Mr. Lemieux reminded everyone that anyone can call and ask me questions.

The Chair asked if there was the possibility that they could be removed from the Committee. Mr. Lemieux stated that the Committee serves at the pleasure of the City Council and that no one can be removed unless there is a majority vote. That would be by 2/3 as voted in the initiative. This would take place at a City Council Meeting and you would know about it 72 hours in advance. To my knowledge, no action item is being taking place right now.

Mr. Andersen would like to know why we can't get a budget from the City Council. No specific reason.

Dennis Speer stated that there is a budget that was passed in June/July and that budget has been amended in November and December. The Budget is online and just don't know if the amended budget is there. I do understand that tracking revenue is not easy and I hope to be changing this with the new finance director.

Mr. Garver was a little disappointed that we took time off from work and came here to listen to a letter that we just received today and nothing was mentioned about the letter that was dated January 29, 2013. This letter had the legal decisions that I feel had no equations between the City Council and the Committee. We have had a storm over the past couple of months and if you are representing the City Council and you are representing us and we have a

disagreement, which is going to win here. What if we continue to disagree? You have the mayor that doesn't like what Mr. Salvatore is doing and we are going to continue to do that and if the City Council and the Committee can't come to and understanding what happens then?

Mr. Lemieux stated that it was his job to stay out of the politics. You continue to do what you are doing, set the procedure down and until you to something that is not legal; people have the right to disagree.

Mr. Lemieux needed to go for close session. He indicated that he would be more than willing to come back to the table to discuss with the committee and members of the community their comments. He suggested that we do another special meeting on February 20, 2013 at 4:30, because he is unable to attend our regularly scheduled meeting.

PUBLIC COMMENT OF ITEMS NOT ON THE AGENDA

Al Huey – Need to have special meeting on Tuesday instead of Monday special meeting. Has to be noticed in the paper and the DI doesn't publish on the Mondays.

Taylor – In “public comment” you are not limited to what the Attorney stated

CITIZENS' OVERSIGHT COMMITTEE COMMENTS

Mr. Anderson – Very important getting the two budgets that we talked about so that we have the overlay budget. We are not the enemy and that we are just trying to keep people informed. Need to see the budget baseline. How can you keep track of Measure L money if you don't have these items?

Mr. Garver – not coincidences – how this meeting was set up and was disappointed hopefully we can get the mayor to come to a meeting and here from him directly

Mr. Salvatore – olive branch that was core and that the city attorney gave. The olive branch is what I was looking for. I think we should let it go of it. Look at the way the resolution and ordinance reads. Would like to still look at police and general funds money and not going off into the parks and recreation.

Mr. Petersen – I would like to see a formal resolution; a budget with measure I and a budget without measure I. Rebuttal Letter on the next agenda of the regular meeting.

Mr. Garver – having the Mayor needs to address the committee. What happens the next time he doesn't agree with something that we are doing. Three

opportunity to come and address this committee and he hasn't done it. I would like to see this happen.

Can we send a formal invitation to the Mayor to attend the next meeting on the 11th.

Chair – Can someone speak on our behalf at the City Council tonight to ask the mayor to join us at the meeting on Monday the 11th?

Mr. Andersen – makes a motion to extend a invitation the motion died due that it cannot be done because it was not on the agenda.

Ron Strand – we can duel on this topic over and over but I feel that it is best for the committee to let it die. Let's move on to other things.

ADJOURNMENT: Meeting was adjourned at 5:57